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11 Attorneys for Plaintiff
12 United States of America
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18 IN THE UNITED STATES DISTRICT COURT
19
20 EASTERN DISTRICT OF CALIFORNIA
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22 UNITED STATES OF AMERICA,

23 Plaintiff,

24 v.

25 RAFAEL ARAUZA, and

26 YAIR ABELARDO ZUNIGA,

27 Defendants.
28

CASE NO. 2:24-MJ-00135 AC

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(d) AND EXCLUSION OF TIME

DATE: November 22, 2024

TIME: 2:00 p.m.

COURT: Hon. Chi Soo Kim

29 Plaintiff United States of America, by and through its attorney of record, Special Assistant
30 United States Attorney MATTHEW DE MOURA, and defendants RAFAEL ARAUZA and YAIR
31 ABELARDO ZUNIGA, both individually and by and through their counsel of record, DAVID
32 FISCHER and ALONZO GRADFORD, hereby stipulate as follows:

33 1. The Complaint in this case was filed on November 5, 2024, and defendants first appeared
34 before a judicial officer of the Court in which the charges in this case were pending on November 8,
35 2024. The court set a preliminary hearing date of November 22, 2024.

36 2. By this stipulation, the parties jointly move for an extension of time of the preliminary
37 hearing date to December 17, 2024 2024, at 2:00 p.m., before the duty Magistrate Judge, pursuant to
38 Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to
allow the defense reasonable time for preparation, and for the government's continuing investigation of

1 the case. The parties further agree that the interests of justice served by granting this continuance
2 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. The parties agree that good cause exists for the extension of time, and that the extension
4 of time would not adversely affect the public interest in the prompt disposition of criminal cases.
5 Therefore, the parties request that the time between November 22, 2024, and December 17, 2024, be
6 excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

7 IT IS SO STIPULATED.

8 Dated: November 21, 2024

9 PHILLIP A. TALBERT
United States Attorney

10 /s/ MATTHEW DE MOURA
11 MATTHEW DE MOURA
12 Special Assistant United States
13 Attorney

14 Dated: November 20, 2024

15 /s/ ALONZO GRADFORD
16 ALONZO GRADFORD
17 Counsel for Defendant
18 RAFAEL ARAUZA

19 Dated: November 20, 2024

20 /s/ DAVID FISCHER
21 DAVID FISCHER
22 Counsel for Defendant
23 YAIR ABELARDO ZUNIGA

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14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 v.
19 RAFAEL ARAUZA, and
20 YAIR ABELARDO ZUNIGA,
21 Defendants.

22 CASE NO. 2:24-MJ-00135 AC
23 FINDINGS AND ORDER EXTENDING TIME FOR
24 PRELIMINARY HEARING PURSUANT TO RULE
25 5.1(d) AND EXCLUDING TIME
26 DATE: November 22, 2024
27 TIME: 2:00 p.m.
28 COURT: Hon. Chi Soo Kim

1 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing
2 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on November 20, 2024.
3 The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,
4 demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule
5 5.1(d) of the Federal Rules of Criminal Procedure.

6 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests
7 of justice served by granting this continuance outweigh the best interests of the public and the defendant
8 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would
9 not adversely affect the public interest in the prompt disposition of criminal cases.

10 THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to December 17, 2024, at 2:00 p.m.

2. The time between November 22, 2024, and December 17, 2024, shall be excluded from
3 calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

4. Defendants shall appear at that date and time before the Magistrate Judge on duty.

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6 IT IS SO ORDERED.

7 Dated: November 21, 2024



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The Honorable Chi Soo Kim
UNITED STATES MAGISTRATE JUDGE